

Remarks/Arguments:

With the present response, claims 55, 56, 61, 62, 65-77, and 81-89 are pending.
Claims 82-84 and 89 are withdrawn from consideration.

The Examiner is thanked for the courtesy of the telephone interview conducted on November 5, 2008. During the interview, the rejection of independent claims 55, 65, 72, 81, 85, and 87 as anticipated by U.S. Patent No. 5,480,423 to Ravenscroft et al. ("Ravenscroft") was discussed. During the interview, proposed amendments to the claims to remove functional language from claims 72 and 87, as well as to recite the additional feature of radial protuberances being evenly distributed along the length of the stent-underlying portion and the protuberances engaging the stent when the stent is disposed over the stabilizer in a predeployed condition were discussed.

Claim rejections

Claims 55, 56, 61, 62, 65-77, 81, and 85-88 stand rejected under 35 U.S.C. 102(b) as anticipated by Ravenscroft.

Ravenscroft discloses a prosthesis delivery device that includes a catheter body 4, a prosthesis 6 carried by the catheter body 4, and a sheath 8 disposed over prosthesis 6. The catheter body 4 includes three radiopaque markers 9, 11, 13 disposed along the length of prosthesis 6. Markers 9 and 11 are disposed proximate to each other to designate the proximal end of a stent in the compacted state and the proximal end of the stent in an expanded state. See Ravenscroft, Col. 4, lines 62-66. Prosthesis 6 is constructed from an elastic material (*Id.*, Col. 5, lines 2-3) and engages the inner wall of the sheath 8, owing to the elastic nature of prosthesis 6, which causes prosthesis 6 to push radially outward. *Id.*, Col. 5, lines 25-28. The friction between the inner wall of sheath 8 and prosthesis 6 places prosthesis 6 under tension during retraction of sheath 8. Prosthesis 6 does not engage radiopaque markers 9, 11, 13, as illustrated in Ravenscroft FIGS. 2a-2e.

Independent claims 55 and 81

Claim 55 has been amended to positively recite the feature of one or more radial protuberances that protrude from the inner core and lie along the stent-underlying portion of the stabilizer *evenly* distributed along the length of the stent-underlying portion from the proximal end to the distal end of the stent-underlying portion. Claim 81 has been amended to recite the feature of the stabilizer comprising a non-inflatable inner core and one or more members for engaging the stent inner periphery that are *evenly* distributed along the length of

the stent. Support for these amendments may be found in the Specification, on page 12, lines 24-25, as well as in FIGS. 2B, 3A, 3F, and 3G, for example.

The radiopaque markers 9, 11, 13 disclosed by Ravenscroft are not evenly spaced along the catheter. Markers 9 and 11 are disposed proximate to each other to designate the proximal end of a stent in the compacted state and the proximal end of the stent in an expanded state. See Ravenscroft, Col. 4, lines 62-66. Applicants respectfully submit that Ravenscroft fails to disclose or suggest the claimed features of one or more radial protuberances that protrude from the inner core and lie along the stent-underlying portion of the stabilizer *evenly distributed* along the length of the stent-underlying portion from the proximal end to the distal end of the stent-underlying portion and of the stabilizer comprising a non-inflatable inner core and one or more members for engaging the stent inner periphery that are *evenly distributed* along the length of the stent, that are recited in claims 55 and 81, respectively.

Because Ravenscroft fails to disclose or suggest all of the features of amended claims 55 and 81, Applicants respectfully submit that the rejection of claims 55 and 81 is improper. Applicants respectfully request reconsideration and allowance of claims 55 and 81. Claims 56, 61, and 62 depend from claim 55. Applicants respectfully submit that claims 56, 61, and 62 are all allowable over Ravenscroft for at least the reasons set forth above with respect to claim 55. Applicants respectfully request reconsideration and allowance of claims 56, 61, and 62.

Independent claims 65 and 85

Claim 65 has been amended to recite the feature of one or more members for engaging the stent inner periphery along the length of the stent-underlying portion from the proximal end to the distal end of the stent-underlying portion without protruding through interstitial openings in the stent inner periphery *when the stent is disposed over the stabilizer in a predeployed condition*. Claim 85 has been amended to recite the feature of at least one distal protuberance underlying the stent and protruding from the inner core for engaging the stent inner periphery at a distal end of the stent-underlying portion without protruding through interstitial openings in the stent inner periphery *when the stent is disposed over the stabilizer in a predeployed condition*. Support for these amendments may be found in the Specification on page 8, lines 5-7 and FIG. 2B, for example.

The radiopaque markers disclosed by Ravenscroft are spaced away from prosthesis 6 when prosthesis 6 is in a predeployed condition, as is shown in Ravenscroft FIG. 2a. Ravenscroft fails to disclose or suggest the claimed features of one or more members for engaging the stent inner periphery along the length of the stent-underlying portion from the

proximal end to the distal end of the stent-underlying portion or at least one distal protuberance underlying the stent and protruding from the inner core for engaging the stent inner periphery at a distal end of the stent-underlying portion, without protruding through interstitial openings in the stent inner periphery *when the stent is disposed over the stabilizer in a predeployed condition*, as is recited in each of claims 65 and 85, respectively.

Because Ravenscroft fails to disclose or suggest all of the features of amended claims 65 and 85, Applicants respectfully submit that the rejection of claims 65 and 85 is improper. Applicants respectfully request reconsideration and allowance of claims 65 and 85. Claims 66-71 depend from claim 65 and claim 86 depends from claim 85. Applicants respectfully submit that claims 66-71 and 86 are all allowable over Ravenscroft for at least the reasons set forth above with respect to claims 65 and 85. Applicants respectfully request reconsideration and allowance of claims 66-71 and 86.

Independent claims 72 and 87

Claim 72 has been amended to positively recite the feature of one or more radial protuberances engaging the stent inner periphery and claim 87 has been amended to recite the feature of at least one member underlying the stent and protruding from the inner core engaging the stent inner periphery. Support for these amendments may be found in the Specification on page 8, lines 20-21 and in FIG. 2B, for example. ☺

Ravenscroft, on the other hand, does not disclose stent 6 engaging any of radiopaque markers 9, 11, 13. Because Ravenscroft fails to disclose or suggest all of the features of amended claims 72 and 87, Applicants respectfully submit that the rejection of claims 72 and 87 is improper. Applicants respectfully request reconsideration and allowance of claims 72 and 87. Claims 73-77 ultimately depend from claim 72 and claim 88 depends from claim 87. Applicants respectfully submit that claims 73-77 and 88 are all allowable over Ravenscroft for at least the reasons set forth above with respect to claims 72 and 87. Applicants respectfully request reconsideration and allowance of claims 73-77 and 88.

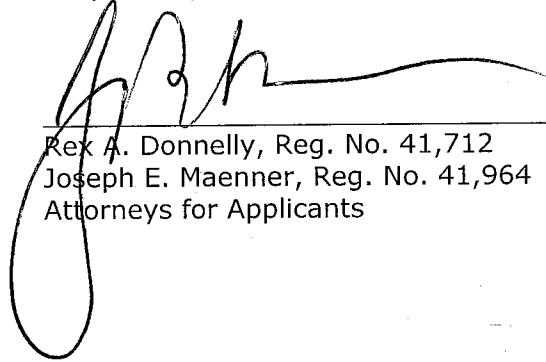
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Conclusion

In light of the above amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance. Applicants respectfully request reconsideration and allowance of the claims.

Respectfully submitted,



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The Director is hereby authorized to charge or credit Deposit Account No. **18-0350** for any additional fees, or any underpayment or credit for overpayment in connection herewith.

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